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December 28, 2022

VIA ECF

  
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DENISE COTE  
United States District Judge

Hon. Denise L. Cote  
United States District Judge  
U. S. District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *Bossuk v. Augusta Sportswear, Inc., et al.***  
**Index No. 1:21 cv 8273**

Dear Judge Cote:

We represent Plaintiff Richard Bossuk in the above-referenced action against Defendants Augusta Sportswear, Inc. and Jason Livermore. On December 16, 2022, we filed Plaintiff's Opposition to Defendants' Motion for Summary Judgment. (ECF Dkt Nos. 91-96). Inadvertently, three exhibits to my declaration in opposition to summary judgment that contain confidential information about Plaintiff's former co-workers were filed publicly when they should have been filed under seal. Plaintiff has contacted the clerk's office, and the documents have been temporarily sealed. Plaintiff now respectfully requests leave to re-file these exhibits under seal. Defendants consent to this request.

The Exhibits in question – Exhibits 5, 10, and 11 to my declaration – contain data about the revenue generated by sales representatives who work for Defendant Augusta Sportswear, Inc. See ECF Dkt Nos. ECF Dkt. 91-5, 91-10, and 91-11. Pursuant to this Court's Order dated November 7, 2022, Defendants were granted leave to file exhibits containing similar revenue information under seal. See ECF Dkt No. 78; see also *Hypnotic Hats, Ltd. v. Wintermantel Enters, LLC*, 335 F. Supp. 3d 566, 600 (S.D.N.Y. 2018) (discussing how documents containing "revenue information" fall into the categories of commonly sealed documents).

Accordingly, pursuant to ECF Filing Rule 21.7, Plaintiff now respectfully requests permission to re-file Exhibits 5, 10, and 11 to the Declaration of Lucas C. Buzzard under seal.

Thank you for your attention to this matter.

Respectfully submitted,

JOSEPH & KIRSCHENBAUM LLP

/s/ Lucas C. Buzzard

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